

Message Text

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ORIGIN ARA-20

INFO OCT-01 ISO-00 L-03 SCA-01 JUSE-00 PM-07 NSC-10 SPC-03

SS-20 RSC-01 CIAE-00 DODE-00 INR-10 NSAE-00 PA-04

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FM SECSTATE WASHDC

TO AMEMBASSY NASSAU PRIORITY

AMEMBASSY SAN JOSE

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E.O. 11652, N/A

TAGS: PFOR (VESCO, ROBERT)

SUBJECT: PRESS GUIDANCE ON VESCO EXTRADITION

FOLLOWING STATEMENT WAS READ BY DEPARTMENT SPOKESMAN AT
NOON PRESS BRIEFING, OCTOBER 7:

ON NOVEMBER 1 AMBASSADOR RONALD SPIERS DELIVERED A REQUEST
FOR THE EXTRADITION OF ROBERT VESCO TO BAHAMIAN MINISTER
OF EXTERNAL AFFAIRS PAUL ADDERLEY. OUR REQUEST WAS BASED
ON THE JULY 20 INDICTMENT IN THE SOUTHERN DISTRICT OF NEW
YORK WHICH CHARGED VESCO WITH FRAUD IN VIOLATION OF 18
U.S.C. 1343 AND AIDING AND ABETTING A FRAUD IN VIOLATION
OF 18 U.S.C. 2. THE UNITED STATES REQUESTED VESCO'S EXTRA-
DITION FOR THE OFFENSES LISTED IN PARAS 17 AND 18 OF
ARTICLE 3 OF THE EXTRADITION TREATY, FRAUD AND OBTAINING
MONEY BY FALSE PRETENSES AND FOR "PARTICIPATION" AS PROVIDED
IN THE LAST PARAGRAPH OF ARTICLE 3.

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MINISTER ADDERLEY INFORMED THE EMBASSY THAT ALSO ON NOV. 1 AN ORDER WAS SIGNED BY THE GOVERNOR-GENERAL AND COUNTER-SIGNED BY THE MINISTER OF EXTERNAL AFFAIRS REQUESTING MR. E. E. OSADEBAY, STIPENDIARY AND CIRCUIT MAGISTRATE AT NASSAU, TO ISSUE AN ARREST WARRANT FOR VESCO. THE ORDER WAS DELIVERED TO OSADEBAY ON NOVEMBER 2. THE EMBASSY WAS INFORMED ON NOVEMBER 6 THAT AN ARREST WARRANT HAD BEEN ISSUED, THAT MR. VESCO HAD BEEN ARRESTED, THAT HE WAS RELEASED ON DOLS 75,000 BOND AND TOLD HE MAY NOT LEAVE THE COUNTRY. WE HAVE BEEN INFORMED THAT AN EXTRADITION HEARING HAS BEEN SCHEDULED FOR TUESDAY NOVEMBER 13. (END STATEMENT)

FOLLOWING QUESTIONS WERE PREPARED FOR SPOKESMAN'S USE AT NOON BRIEFING (NO QUESTIONS ASKED ON SUBJECT):

Q: DO YOU HAVE ANY COMMENT ON RECENT ARTICLES THAT THE U.S. GOVERNMENT FAILED TO PURSUE THE EXTRADITION OF VESCO FROM THE BAHAMAS?

A: OBVIOUSLY, THE EVENTS OF YESTERDAY SHOW THAT THE USG HAS BEEN ENERGETICALLY ATTEMPTING TO OBTAIN THE RETURN OF MR. VESCO TO THE U.S. FOR THE OBVIOUS REASON OF AVOIDING FRUSTRATION OF THESE MEASURES, WE COULD NOT MAKE PUBLIC THE EXISTENCE OF OUR REQUEST IN THE BAHAMAS PRIOR TO THE ARREST OF MR. VESCO.

Q: WHY DIDN'T THE U.S. FOLLOW THROUGH ON ITS REQUEST OF LAST JUNE TO THE BAHAMAS?

A: OUR PRIOR REQUEST WAS MADE UNDER TREATY PROVISIONS PROVIDING FOR PROVISIONAL ARREST OF A FUGITIVE. IN SUCH A CASE, DOCUMENTATION TO SUPPORT THE REQUEST, OTHER THAN THE TEXT OF THE INDICTMENT AND THE ARREST WARRANT, IS NOT DEEMED NECESSARY BY THE U.S. HOWEVER, THE BAHAMIAN MAGISTRATE REQUESTED FURTHER DOCUMENTATION TO ASSURE HIMSELF THAT AN EXTRADITABLE TREATY OFFENSE EXISTED AND THAT THE REQUEST ALSO COMPLIED WITH THE BRITISH EXTRADITION ACT OF 1870. (AT THE TIME OF THAT REQUEST, THE GCOB HAD NOT ATTAINED ITS INDEPENDENCE). THE USG THEREUPON SET LIMITED OFFICIAL USE

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ABOUT TO ASSEMBLE THE DOCUMENTATION, BUT EVENTS WERE OVERTAKEN BY THE JULY 20 INDICTMENT AND THE DECISION WAS MADE TO PROCEED TO ASSEMBLE DOCUMENTATION ON THE JULY 20 INDICTMENT, WHICH WAS A CONSUMMATED FRAUD, WHEREAS THE EARLIER INDICTMENT HAD BEEN FOR AN ATTEMPTED FRAUD.

Q: HAVE YOU MADE A REQUEST FOR VESCO'S EXTRADITION IN COSTA RICA AND IF SO, DO YOU PLAN TO FOLLOW THROUGH WITH

IT?

A: WE WERE UNSUCCESSFUL IN OBTAINING EXTRADITION OF MR. VESCO FROM COSTA RICA PURSUANT TO OUR REQUEST OF LAST JUNE. I CANNOT GO INTO DETAIL ON STEPS TAKEN TO EXTRADITE MR. VESCO BUT I CAN ASSURE YOU THAT THE USG INTENDS TO OBTAIN THE RETURN OF MR. VESCO TO THE U.S.

Q: IF, IN THE EXTRADITION HEARING THIS COMING TUESDAY, VESCO IS FOUND TO BE EXTRADITABLE, WILL HE BE RETURNED TO

THE UNITED STATES WITHOUT FURTHER LEGAL PROCEEDINGS -- OR DOES HE HAVE THE RIGHT TO APPEAL.

A: THAT IS A QUESTION THAT SHOULD BE ADDRESSED TO THE BAHAMANIAN GOVERNMENT. MOST GOVERNMENTS PROVIDE FOR THE RIGHT OF APPEAL TO EXTRADITION.

Q: WHY HASN'T THE U.S. ASKED FOR EXTRADITION IN CONNECTION WITH THE MITCHELL-STANS CASE.

A: EXTRADITION TREATIES DO NOT USUALLY APPLY TO THAT SORT OF OFFENSE.

DECONTROL FEBRUARY 7, 1974. RUSH

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